Remarks/Arguments

Reconsideration of this Application is requested.

Claims 15-20 and 22-27 have been rejected by the Examiner under 35 USC § 102 (a and e) as being anticipated by Sansone (U.S. Patent No. 6,574,000).

Sansone discloses the following in line 47 of column 2 – line 16 of column 3.

"This invention overcomes the disadvantages of the prior art by providing a system that will supply permanent and human and machine readable evidence that a approved printer or unapproved printer was used to print the indicia in question. The system will first capture the postal customer's or mailers printer type and configuration setting information, paper, ink, or toner combination and then use the foregoing information to enable printing of the Information-Based Indicia if the active printer going to print the indicia is found on a stored (local or remote) "Information-Based Indicia Approved Printer's List". Then the system will add this same printer information to the USPS defined Information-Based Indicia print field format so as to provide evidence that an approved printer or unapproved printer or proper supplies were used. The foregoing printer information may be printed in a coded form on the Information-Based Indicia to automate the sortation of indicium that cannot be read. Thus, this invention will improve the processing of Information-Based Indicia mail by reducing an eventually virtually eliminating the use of printers, printer settings, paper envelopes, inks and toners that cannot be read by Information-Based Indicia scanners. Hence, this invention will improve the processing of mail.

The foregoing is accomplished by collecting information about the indicia printer, the indicia printer settings, the paper on which the indicia is going to be printed and the ink or toner that is going to be used to print the indicia, using the program contained in the user computer. Then the program contained in the user computer decides if the printer, paper, ink, or toner combination is approved by the USPS to allow printing.

At this point the program contained in the user computer notifies the user of the status of the selected printer, paper and ink, or toner. Now, the program contained in the Postal Security Device computer adds the coded representation of the selected printer, paper and ink or toner to the indicia to automate the post processing of mail pieces that have indicia that cannot be read."

Sansone discloses the following in line 62 of col. 3 to line 26 of col. 4.

"FIG.2 is a drawing of a Information-Based Indiciacontaining a code that represents the printer, printer settings, ink, or toner and paper in which the indicia was printed. The postal indicia **20** contains a dollar amount **13**, the date **14** that the postal indicia was affixed to the mail piece, the place the mail piece was mailed form **15**, the postal meter serial number **16**, a FIM code **17** and a 2D encrypted barcode **18**. Mail piece **12** is going to be sent to the person and place indicated in address field **20**. Postal Indicia **21** has a human readable or machine readable code **22** that represents the postal customer's or mailers printer type and configuration setting-information, paper, ink, or toner combination. Code **22** may be of the form A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P and Q. Where, the positions held by letters A and B may be used to represent the manufacturer of the printer that printed indicia **21** and the positions held by letters C, D, and E may be used to represent the model of the printer that printed indicia **21**. The position held by letter E may be used to represent the print density of the printer that printed indicia **21** and the position held by letter F may be used to represent the print dither type of the printer that printed indicia **21**. The position held by letters G and H may be used to represent the envelope size of the envelope in which indicia **21** was affixed and the position held by letters I and J may be used to represent the paper type in which indicia **21** to was affixed. The position held by letters K, L, and M may be used to represent the type of ink that was used to print indicia **21** and the position held by letters N, O and P may be used to represent the toner type in which indicia **21** was affixed. Letter O may be used as a control for error correction."

The position held by letters K, L and M are used by Sansone to represent the type of ink that was used to print indicia 21. The foregoing information is used along with the

mailers printer type, printer configuration settings, paper to enable the mailers printer to print an Information-Based Indicia, if the mailers printer that is going to print the indicia is found on a "Information-Based Indicia Approved Printers List." Sansone adds the printer information to an Information-Based Indicia print field to provide evidence that an approved printer was used to print the Indicia.

Claim 15 and those claims dependent thereon are not disclosed or anticipated by Sansone. Sansone does not disclose or anticipate processing means coupled to the print element for causing the print element to print at least one symbol as part of the indicia, the at least one symbol including ink physical characteristic data that is indicative of a physical characteristic of the ink. Sansone's disclosesthe type of ink i.e. a Hewlett Packard ink cartridge that may be used with certain specified Hewlett Packard printers does not disclose anything about the physical characteristics of the ink in the cartridge.

Claim 22 and those claims dependent thereon are not disclosed or anticipated by Sansone. Sansone does not disclose or anticipate applying the ink to the substrate to form an indicia such that the indicia includes at least one symbol, the at least one symbol including ink physical characteristic data that is indicative of the physical characteristic of the ink.

Claims 1-28 have been rejected by the Examiner under 35 USC § 103 (a) as being unpatentable over Leon (U.S. Patent 6,701,304) in view of Sansone.

Leon discloses the following in lines 18-41 of column 13.

> "FIG. **5** shows a block diagram of an embodiment of an authentication system **500** for the detection of fraudulent postage indicia. A mail piece **502** that includes a printed indicium label **504** is provided to the authentication system. Within the authentication system, a data reader **510** reads the human-readable information on the postage label, a symbology reader **520** reads the machine-readable information (e.g., the FIM marking, bar code, and others), and a marking detector **530** detects other imprints that may or may not be visible. The marking detector is designed to detect features not detected by readers **510** and **520**. For example, the marking detector

can be designed to detect the identifiers and markings printed on the label, the use of invisible and/or fluorescent ink, the micro printing, taggants in the ink, and other features described above.

The information detected by these elements is passed to a computer **540** that analyzes, verifies, and authenticates the information retrieved from the postage label. For example, computer **540** can authenticate a digital signature that is imprinted on the postage label (i.e., using the SMD's public key that is provided in, and detected from the postage label). Computer **540** may also authenticate the postage information by comparing the decoded data with the unencoded data from the postage label."

Leon discloses the following in lines 53-67 of col. 9.

"Taggants can be manufactured specially for a particular postage service provider, and can be used to uniquely identify that provider. Thus, even if the ink and its fluorescent identifier are duplicated, the presence of taggants allows for analysis of indicium to determine whether it originates from an authorized metering device. Taggants can be used to disclourage counterfeits, and are especially effective because of their unsuspecting nature.
In one specific embodiment, taggant beads are manufactured with multi-coloerd layers that are visible, for example, under a microscope. The color layers can be arranged in patterns to encode information such as manufacturer's name, a batch number, or othe information. For example, each manufacturer can be assigned a unique color pattern that identifies that manufacturer."

Leon detects the identifiers and markings printed on the label and the use of invisible and/or fluorescent ink. Leon may also authenticate a digital signature and utilize color taggants to encode a manufacturers name.

Leon or Sansone taken separately or together do not disclose or anticipate the following steps of claim 1 as amended and those claims dependent thereon namely, detecting means for detecting at least one ink physical characteristic of the indicia to generate second ink characteristic data; and

processing means, coupled to the reading means and to the detecting means, for comparing the second ink physical characteristic data with the first ink physical characteristic data.

Applicant's claimed apparatus utilizes the physical characteristics of the ink not just the name of a manufacturer. The physical characteristics of an indicia vary from indicia to indicia. Applicant encodes in each indicia data that indicates the characteristics of the ink employed for printing the indicia. The foregoing makes it more difficult to counterfeit postal indicia and may aid in machine inspection and verification of postage indicia.

Leon or Sansone taken separately or together do not disclose or anticipate at least one of the physical ink characteristics i.e. spectral characteristics of the indicia; visible light absorption characteristics luminesce characteristics of the indicia as claimed in claims 3 and 5.

Leon or Sansone taken separately or together do not disclose or anticipate the following steps of claim 8 and those claims dependent thereon namely, detecting at least one ink physical characteristic of the indicia to generate second ink characteristic data; and

comparing the second ink physical characteristic data with the first ink physical characteristic data to verify the indicia.

Leon or Sansone taken separately or together do not disclose or anticipate detecting at least one of a spectral characteristic of the indicia, a visible light absorption characteristic of the indicia, a visible light reflectance characteristic of the indicia, an infra-red absorption characteristic of the indicia, an infra-red luminescence characteristic of the indicia, and a visible luminescence characteristic of the indicia as claimed in claim 10.

Leon or Sansone taken separately or together do not disclose or anticipate the following element of claim 15 as amended and those claims dependent thereon namely, processing means coupled to the print element for causing the print element

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to print at least one symbol as part of the indicia, the at least one symbol including ink physical characteristic data that is indicative of a physical characteristic of the ink.

Leon or Sansone taken separately or together do not disclose or anticipate the following step of claim 22 and those claims dependent thereon namely, applying the ink to the substrate to form an indicia such that the indicia includes at least one symbol, the at least one symbol including ink physical characteristic data that is indicative of the physical characteristic of the ink.

The cited references do not disclose or anticipate detecting data that indicates physical characteristics of the ink that was used to print the indicia and comparing the physical ink characteristics to verify the indicia.

In view of the above claims 1-28 as amended are patentable.

If the Examiner has any questions would the Examiner please call the undersigned at the telephone number noted below.

Respectfully submitted,

Ronald Reichman
Reg. No. 26,796
Attorney of Record
Telephone (203) 924-3854

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000